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9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA
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12 BRANDON THOMAS,

13 Plaintiff,

14 v.

15 STATE OF CALIFORNIA, et al.,

16 Defendants.
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Case No. EDCV 12-1207-JSL (JEM)

ORDER TO SHOW CAUSE RE: FAILURE
TO PROSECUTE AND FAILURE TO
COMPLY WITH COURT ORDER

18 On July 10, 2012, Brandon Thomas ("Plaintiff"), proceeding pro se and in forma
19 pauperis, filed a civil rights complaint pursuant to 42 U.S.C. § 1983 ("Complaint") in the
20 Northern District of California. On July 17, 2012, the case was transferred, and the
21 Complaint was filed in this Court on August 3, 2012. On October 29, 2012, Plaintiff filed a
22 First Amended Complaint ("FAC"). On January 30, 2013, Plaintiff filed a Second Amended
23 Complaint ("SAC").

24 On September 9, 2013, the Court issued an Order to Show Cause ("OSC") why this
25 action should not be dismissed for failure to prosecute and failure to comply with the Court's
26 April 18, 2013, Orders, which required Plaintiff to file on or before May 2, 2013, (1) a Notice
27 of Submission and copies of the USM-285 forms, and (2) the Prison Trust Account
28 Withdrawal Authorization form.

1 On October 2, 2013, Plaintiff filed a response to this OSC, explaining that he
 2 misplaced the USM-285 forms, and that he had been released from confinement and was
 3 thus unable to submit a Prison Trust Account Withdrawal Authorization form.

4 On November 12, 2013, the Court issued an order directing the Clerk of the Court to
 5 provide Plaintiff with the appropriate number of USM-285 forms with service of process
 6 instructions, and a CV-60 form Request to Proceed In Forma Pauperis with Declaration in
 7 Support ("IFP Request"). The Court's Order of November 12, 2013, further ordered Plaintiff
 8 to file with the Clerk of the Court the following documents on or before November 26, 2013:
 9 (1) a Notice of Submission, indicating that all documents required for service of process
 10 have been submitted to the United States Marshal, and copies of the USM-285 forms
 11 submitted to the United States Marshal; (2) the IFP Request form. To date, Plaintiff has not
 12 filed a Notice of Submission, the required USM-285 forms, or the IFP Request form.

13 Accordingly, IT IS HEREBY ORDERED that Plaintiff SHOW CAUSE why this action
 14 should not be dismissed for failure to prosecute and failure to comply with the Court's
 15 November 12, 2013, Order, which required him to file on or before November 26, 2013, (1)
 16 a Notice of Submission and copies of the USM-285 forms, and (2) the IFP Request form.
 17 Plaintiff shall respond to this Order to Show Cause **in writing** on or before **December 27,**
 18 **2013.**

19 In responding, Plaintiff must: (1) file (a) the Notice of Submission, indicating that all
 20 required documents have been submitted to the Marshal, (b) copies of the USM-285 forms
 21 that were submitted, and (c) the IFP Request form; **or** (2) explain why he has failed to do
 22 so.

23 Plaintiff is advised that failure to respond to this Order to Show Cause as directed will
 24 result in the Court recommending that the case be dismissed for failure to prosecute and
 25 failure to comply with a court order.

26
 27 DATED: December 13, 2013

/s/ John E. McDermott
 JOHN E. MCDERMOTT
 UNITED STATES MAGISTRATE JUDGE